

**226 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRR (F) No.112 of 2017 (O&M)

Date of Decision: 07.09.2017.

Surinderpal Singh

... Petitioner

Versus

Tistinder Kaur and others

... Respondents

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. Harsh Goyal, Advocate,
for the petitioner.

Mr. Amaninder Preet, Advocate
for the respondents.

JITENDRA CHAUHAN.J.(ORAL)

This revision is directed against the order dated 26.09.2016 passed by District Judge Family Court, Barnala whereby an amount of Rs.3000/- per month was awarded as ad interim maintenance to each respondent Nos. 2 & 3 from the date of filing the application under Section 125 Cr.P.C.

It is contended that the petitioner is ready and willing to keep the wife and children with him. It is the respondent No.1/wife who does not want to live with the petitioner because of his ill health. It is further contended that the impugned order is contrary to law and facts inasmuch as the petitioner is unable to earn anything due to his ill health. He is not in a position to pay Rs.6000/- per month to the children/respondent Nos. 2 & 3.

Heard.

A perusal of the impugned order shows that ad interim maintenance has been awarded to respondent Nos. 2 & 3. The main petition is still pending. The respondent No.1/wife was held not entitled to maintenance as she is serving as PTI Teacher in Govt. Senior Secondary School, Dhanaula. It is the moral as well as legal duty of the petitioner to maintain his children. He cannot escape his liability. An amount of Rs.3000/- per month is barely sufficient to keep body and soul together. This Court finds no reason to interfere in the well reasoned impugned order. Consequently, the instant petition is dismissed.

07.09.2017.
SN

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No